

Thursday, July 9, 1998

Daily Digest

HIGHLIGHTS

Senate agreed to IRS Reform Conference Report.
Senate passed Higher Education.

Senate

Chamber Action

Routine Proceedings, pages S7705–S7913

Measures Introduced: Six bills were introduced, as follows: S. 2279–2284. Page S7881

Measures Reported: Reports were made as follows:
S. 512, to amend chapter 47 of title 18, United States Code, relating to identity fraud, with an amendment in the nature of a substitute.

S. 2143, to amend chapter 45 of title 28, United States Code, to authorize the Administrative Assistant to the Chief Justice to accept voluntary services, with an amendment in the nature of a substitute.

Page S7881

Measures Passed:

Farmer Export Relief: By a unanimous vote of 98 yeas (Vote No. 190), Senate passed S. 2282, to amend the Arms Export Control Act, after agreeing to the following amendment proposed thereto:

Pages S7797–S7815

Dodd/Warner Amendment No. 3113, to exempt medicines and medical equipment from sanctions.

Page S7813

Higher Education: Committee on Labor and Human Resources was discharged from further consideration of H.R. 6, to extend the authorization of programs under the Higher Education Act of 1965, and by 96 yeas to 1 nays (Vote No. 195), the bill was passed after striking all after the enacting clause and inserting in lieu thereof the text of S. 1882, Senate companion measure, after agreeing to a committee amendment in the nature of a substitute, as modified, and taking action on amendments proposed thereto, as follows: Pages S7723–97, S7815–73

Adopted:

Feinstein/Boxer Amendment 3107, to provide the Secretary of Education with discretionary authority to extend, on a case-by-case basis, Federal Pell Grant aid to teaching students enrolled in postbaccalaureate

courses required by State law for teacher certification. Pages S7788–89

Jeffords (for Specter) Amendment No. 3109, to increase public awareness concerning crime on college and university campuses. Pages S7789–91

Graham Amendment No. 3110, to amend the need analysis calculation regarding certain veterans' educational assistance. Pages S7791–94

By 56 yeas to 42 nays (Vote 191), Wellstone Amendment No. 3111, to expand the educational opportunities for welfare recipients.

Pages S7795–97, S7816–24

Santorum/DeWine/Coverdell Amendment No. 3114, to improve accountability and reform certain programs. Pages S7815–16

Warner Amendment No. 3117, to permit the disclosure of information regarding violation of laws governing the use or possession of alcohol or drugs to a parent of a student at a postsecondary education institution. Page S7857

Jeffords Amendment No. 3120, to provide for the release of conditions, covenants, and reversionary interests regarding the Guam Community College Conveyance, to express the sense of the Congress that Congress should support character building initiatives in America's schools, and to improve performance and provide accountability for the quality of post-secondary teacher preparation programs. Pages S7870–71

Rejected:

By 23 yeas to 74 nays (Vote No. 193), Bingaman/Cochran/Reid/Hollings Amendment No. 3116, to ensure that secondary school teachers are sufficiently prepared during their pre-service training to have sufficient academic knowledge to be able to help their students reach high academic standards.

Pages S7849–55, S7869–70

By 41 yeas to 56 nays (Vote No. 194), Harkin/Reid Amendment No. 3118, to provide for a reduction in student loan fees. Pages S7857–64, S7870

By 39 yeas to 58 nays (Vote No. 192), Kennedy Amendment No. 3119, to provide for market-based determinations of lender returns. **Pages S7864–69**

Withdrawn:

Sessions Amendment No. 3115, to provide additional tax incentives for education. **Pages S7824–26**

Subsequently, S. 1882 was returned to the Senate Calendar.

IRS Reform—Conference Report: By 96 yeas to 2 nays (Vote No. 189), Senate agreed to the conference report on H.R. 2676, to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, clearing the measure for the President. **Pages S7717–23**

Product Liability—Cloture Vote: By 51 yeas to 47 nays (Vote No. 188), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to close further debate on Lott Amendment No. 3064, in the nature of a substitute, to S. 648, to establish legal standards and procedures for product liability litigation. **Page S7717**

Private Property Rights—Cloture Motion Filed: A motion was entered to close further debate on the motion to proceed to the consideration of S. 2271, to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law, and by unanimous-consent agreement, a vote on the cloture motion will occur on Monday, July 13, 1998, at 5:45 p.m. **Page S7873**

U.S. Commitments to Taiwan—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. Con. Res. 107, affirming United States commitments to Taiwan, on Friday, July 10, 1998, with a vote to occur thereon. **Page S7913**

Measure Placed on Calendar: By unanimous-consent, S. 648, to establish legal standards and procedures for product liability litigation, was placed back on the Senate Calendar. **Page S7913**

Nominations Received: Senate received the following nominations:

Simon Ferro, of Florida, to be Ambassador to the Republic of Panama.

William B. Milam, of California, to be Ambassador to the Islamic Republic of Pakistan.

D. Bambi Kraus, of the District of Columbia, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2004.

1 Army nomination in the rank of general.

Page S7913

Nomination Withdrawn: Senate received notification of the withdrawal of the following nomination:

Carlos Pascual, of the District of Columbia, to be an Assistant Administrator of the Agency for International Development, vice Thomas A. Dine, resigned, which was sent to the Senate on June 11, 1998. **Page S7913**

Communications:

Pages S7877–81

Executive Reports of Committees:

Page S7881

Statements on Introduced Bills:

Pages S7882–84

Additional Cosponsors:

Page S7884

Amendments Submitted:

Pages S7884–92

Notices of Hearings:

Page S7892

Authority for Committees:

Page S7892

Additional Statements:

Pages S7892–99

Record Votes: Eight record votes were taken today. (Total—195)

Pages S7717, S7723, S7815, S7824, S7869–70, S7872

Adjournment: Senate convened at 9 a.m., and adjourned at 11:48 p.m., until 9:30 a.m., on Friday, July 10, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7913.)

Committee Meetings

(Committees not listed did not meet)

U.S. EXPORT CONTROL

Committee on Armed Services: Committee concluded hearings to examine the role of the Department of Defense in implementing United States policy on export controls and nonproliferation, after receiving testimony from Stephen D. Bryen, former Deputy Under Secretary of Defense for Trade and Security Policy; Gary Milhollin, University of Wisconsin Law School, Madison, on behalf of the Wisconsin Project on Nuclear Arms Control; and Mitchel B. Wallerstein, former Deputy Assistant Secretary of Defense for Counterproliferation Policy.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

The nominations of William Clyburn, Jr., of South Carolina, to be a Member of the Surface Transportation Board, Department of Transportation, Deborah K. Kilmer, of Idaho, to be an Assistant Secretary of Commerce, Neal F. Lane, of Oklahoma, to be Director, and Rosina M. Bierbaum, of Virginia,

to be an Associate Director, both of the Office of Science and Technology Policy, Clyde J. Hart, Jr., of New Jersey, to be Administrator of the Maritime Administration, Rear Adm. Timothy W. Josiah, for appointment as Chief of Staff, United States Coast Guard, and to the grade of Vice Admiral, and a United States Coast Guard promotion list received by the Senate on June 17, 1998;

S. 2124, authorizing funds for fiscal year 1999 for the Maritime Administration, Department of Transportation, with an amendment;

S. 1736, to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel BETTY JANE;

S. 2096, to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel FOILCAT, with an amendment;

S. 2139, to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel YESTERDAYS DREAM;

S. 1480, authorizing funds for fiscal year 1998 through 2000 for the National Oceanic and Atmospheric Administration to conduct research, monitoring, education and management activities for the eradication and control of harmful algal blooms, including blooms of *Pfiesteria piscicida* and other aquatic toxins, with an amendment in the nature of a substitute; and

H.R. 3824, amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft, with an amendment.

Also, committee began markup of proposed legislation authorizing funds for the Federal Aviation Administration, S. 268, to promote air safety and restore or preserve natural quiet in national parks by establishing minimum flight altitudes and prohibiting overflights below such minimum altitudes in any national park, and S. 1353, to amend title 49, United States Code, to provide assistance and slots with respect to air carrier service between high density airports and airports that do not receive sufficient air service, and to improve jet aircraft service to underserved markets, but did not complete action thereon, and will meet again on Tuesday, July 14, 1998.

NATIONAL HISTORIC SITE/NATIONAL PARKS/HAWAII LAND ACQUISITION

Committee on Energy and Natural Resources: Subcommittee on National Parks, Historic Preservation,

and Recreation concluded hearings on S. 2232, to establish the Little Rock Central High School National Historic Site in the State of Arkansas, S. 2106 and H.R. 2283, bills to expand the boundaries of Arches National Park, Utah, to include portions of certain drainages that are under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Seep Draw currently owned by the State of Utah, S. 2129, to eliminate restrictions on the acquisition of certain land contiguous to Hawaii Volcanoes National Park, and S. 1333, to amend the Land and Water Conservation Fund Act of 1965 to allow national park units that cannot charge an entrance or admission fee to retain other fees and charges, after receiving testimony from William Shaddox, Acting Associate Director for Professional Services, National Park Service, Department of the Interior; Everett Tucker, III, Central High Museum, Inc., Little Rock, Arkansas; Ernest Green, Lehman Brothers, Washington, D.C.; and Tom Robinson, Grand Canyon Trust, Flagstaff, Arizona.

ESTUARY CONSERVATION/COASTAL POLLUTION REDUCTION

Committee on Environment and Public Works: Committee concluded hearings on S. 1222, to catalyze restoration of estuary habitat through more efficient financing of projects and enhanced coordination of Federal and non-Federal restoration programs, S. 1321, to authorize funds to permit grants for the national estuary program to be used for the development and implementation of a comprehensive conservation and management plan, and H.R. 2207, to require the owner or operator of the Mayaguez, Puerto Rico, publicly owned treatment works, in order to be eligible to apply for a waiver of secondary treatment requirements, to transmit to the Administrator of the Environmental Protection Agency the results of a study of the marine environment of coastal areas in the Mayaguez area to determine the feasibility of constructing a deep ocean outfall for the treatment works, and to authorize funds through fiscal year 1998 for the National Estuary Program, after receiving testimony from Senators Faircloth, Breaux, and Torricelli; Robert H. Wayland, III, Director, Office of Wetlands, Oceans and Watersheds, Office of Water, Environmental Protection Agency; Michael L. Davis, Deputy Assistant Secretary of the Army for Civil Works; H. Curtis Spalding, Save the Bay, Providence, Rhode Island; JoAnn M. Burkholder, North Carolina State University, Raleigh; J. Walter Milon, University of Florida, Gainesville; Ted Morton, American Oceans Campaign, Washington, D.C.; Xavier Romeu, Puerto Rico Federal Affairs Administration, San Juan; and

Juan C. Martinez-Cruzado, Mayaguezanos for Health and Environment, Inc., Mayaguez, Puerto Rico.

U.S.-CHINA TRADE RELATIONS

Committee on Finance: Committee held hearings to examine the Administration's proposed renewal of normal trade relations with China, receiving testimony from Madeleine K. Albright, Secretary of State; Charlene Barshefsky, United States Trade Representative; Zbigniew Brzezinski, Center for Strategic and International Studies, former National Security Advisor, Brent Scowcroft, Scowcroft Group, on behalf of the Forum for International Policy, former National Security Advisor, and Mike Jendrzeczyk, Human Rights Watch, all of Washington, D.C.; Ernest S. Micek, Cargill, Incorporated, Minneapolis, Minnesota; Rabbi Arthur Schneier, Appeal of Conscience Foundation, New York, New York; Frederick W. Smith, FDX Corporation, Memphis, Tennessee; and Warren W. Smith, Alexandria, Virginia.

Hearings were recessed subject to call.

SAFETY OF FOOD IMPORTS

Committee on Governmental Affairs: Permanent Subcommittee on Investigations resumed hearings to examine the adequacy of procedures and systems used by the Department of Agriculture Food Safety and Inspection Service and the Department of Health and Human Services Food and Drug Administration to oversee the safety of food imported into the United States, focusing on the outbreak of Cyclospora associated with fresh raspberries imported into the United States from Central America, receiving testimony from Stephen M. Ostroff, Associate Director for Epidemiologic Science, and Barbara L. Herwaldt, Medical Officer, Division of Parasitic Dis-

eases, both of the National Center for Infectious Diseases, Centers for Disease Control and Prevention, Department of Health and Human Services; Stephanie A. Smith, Investigator, Permanent Subcommittee on Investigations, Committee on Governmental Affairs; and Jeffrey A. Foran, International Life Science Institute, Washington, D.C.

Hearings were recessed subject to call.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 512, to amend chapter 47 of title 18, United States Code, relating to identity fraud, with an amendment in the nature of a substitute; and

S. 2143, to amend chapter 45 of title 28, United States Code, to authorize the Administrative Assistant to the Chief Justice to accept voluntary services, with an amendment in the nature of a substitute.

Also, committee began consideration of S. 1645, to amend title 18, United States Code, to prohibit taking minors across State lines to avoid laws requiring the involvement of parents in abortion decisions, and the nomination of Kim McLean Wardlaw, of California, to be United States Circuit Judge for the Ninth Circuit, but did not complete action thereon, and will meet again on Thursday, July 16.

NOMINATION

Committee on the Judiciary: Committee concluded hearings on the nomination of Beth Nolan, of New York, to be Assistant Attorney General for the Office of Legal Counsel, Department of Justice, after the nominee, who was introduced by Senator Moynihan and District of Columbia Delegate Norton, testified and answered questions in her own behalf.

House of Representatives

Chamber Action

The House was not in session today. It will next meet on Tuesday, July 14 at 12:30 p.m. for morning hour debate.

Committee Meetings

No committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JULY 10, 1998

Senate

No committee meetings are scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

9:30 a.m., Friday, July 10

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, July 14

Senate Chamber

Program for Friday: Senate will vote on S. Con. Res. 107, regarding Taiwan.

House Chamber

Program for Tuesday: To be announced.



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